

**VERMONT TOBACCO EVALUATION AND REVIEW BOARD**  
**BOARD MEETING**

**Wednesday, May 13, 2009 3:00 p.m. – 5:00 p.m.**

The Pavilion Building, 109 State Street, Montpelier  
Governor's 4th Floor Conference Room

**MINUTES**

*Minutes appear in italicized typeface.*

*Members and Designees Present:*

*Brian Flynn, Ted Marcy, Edna Fairbanks-Williams, Amy Brewer, Rep. Bill Frank, Ryan Krushenick, Christy Taylor Mihaly, Kate Larose, Chris Finley*

Public Comment

(10 min)

*No public comment.*

Approval of Minutes

(5 min)

***EDNA MOTIONED TO ACCEPT THE MINUTES OF APRIL 8TH; TED  
SECONDED; MINUTES ARE ACCEPTED.***

*Edna mentioned the "Kids on the Block" group that presents a puppet show to kids about alcohol, tobacco, and drugs. Brian disseminated an article about kids' perceptions about tobacco use behaviors and how variables such as enforcement of policy relate to these behaviors. The paper supports comprehensive program elements that work together, e.g.: community efforts and school efforts.*

*Brian reviewed the statute that created the Board. It is posted on the Board's website. It states that the goal of Vermont's program is the reduction of youth and adult smoking. It lists the required programmatic elements, which are comprehensive in scope. Both program and policy components are cited as important as well. The statute describes the expectations for collaboration between the Board and the Vermont Department of Health. Brian noted that this collaborative relationship has been a good one we will continue to collaborate moving forward.*

Legislative Updates

(15 min)

- S7: An act to prohibit the use of lighted tobacco products in the workplace.

*The Senate ordered S.7 to be delivered to the Governor last Friday. The bill contains an exemption for the Bennington Veteran's Home. The bill had contained an amendment to sunset this exemption; however the sunset amendment was eliminated and the exemption remains. All the other workplaces would be affected by this bill if passed. Amy: How do businesses find out about the new law if passed? Sheri: The VDH would create a press release, work with*

*coalitions and hospitals to disseminate the information, work with the Department of Labor to see if there is an opportunity for communication there, and create a new poster for availability on the VDH website.*

- **Tobacco Tax Increases**

*A 25 cent state tax is tied in with the appropriations bill; there is likely to be further discussion about this by the Administration. Other tobacco product taxes would increase as well if the bill is passed as is. The federal tax increase of 62 cents was implemented in April. Tax increases have a favorable affect: they decrease sales and consumption.*

- **Other Tobacco Related Proposals**

*Other tobacco related proposals remain “on the wall” for the next legislative session in 2010. This includes H111, a bill relating to children’s access to tobacco products. We continue to study the impact of this bill if passed next year. There was no hearing on this bill during the 2009 legislative session. Rep. Frank is hopeful that his committee can start off with H111 next year.*

## **Workplan Objectives (VOTE)**

(15 min)

*Sheri summarized that there is still a process, moving forward, to receive Commissioners’ approval from DOE, VDH, and DLC. The major change from the last workplan (2008-2009) relates to the CDC recommendations and the addition to the Chronic Disease section and the Administration and Management sections. VDH and DOE continue to monitor changes and best practices for interventions and measures for future discussion and use. Narrative sections within the workplan were edited among several stakeholders.*

*Amy asked about number six regarding retailer training. Why is the goal to bump up the percent as opposed to the number of trainings. Sheri reported that DLC was comfortable keeping this objective related to maintaining levels. Kate suggested removing the ‘process language’ in that objective. Sheri is waiting to hear from DLC on alternate language. There has been public comment specifically on this objective as well. Some Board members agreed that this objective should be altered. Bill Frank reminded that compliance is based on all clerks, not just those trained. Stephen and Sheri will confer on this discussion in an effort to communicate these concerns to DLC in hope of a new objective to replace this one.*

*There are other maintenance objectives (ones that have the goal of sustaining current levels or trends) as well. These are short-term objectives and therefore reflect short-term trends. The two-year work plan requirement is cited in the statute.*

**TED MOTIONED TO APPROVE THE WORKPLAN DOCUMENT AS DRAFTED, KEEPING OPEN THE POSSIBILITY TO CHANGE THE DLC RELATED OBJECTIVE. AMY SECONDED. ALL IN FAVOR. NO ABSTENTIONS.**

## Site Visit Summary

(15 min)

*Ted summarized the site visit activities on April 29th, 2009. The timing of site visits in April informs the Board's work to develop recommendations the following the legislative session. Most Board members attended the site visit. Following are the highlights:*

- *A VDH Workgroup addressed current challenges.*
- *Matthew addressed the SAMSHA data question we had last month.*
- *RTI presented School and Coalition evaluations.*
- *There was a discussion of the omnibus cessation report including a good conversation related to improving measures about responses from clients.*
- *Public Comment: Workplan Objectives (2010-2011): A summary of this was included in the packet.*
- *KSV & RTI Working Dinner: "Your Quit. Your Way." Evaluation Measures and data were discussed.*

## Appropriations and Program Implications

(25 min)

*Legislators sent an appropriation bill to the Governor which included a 50% cut to the VDH components of the TCP. DLC and DOE appear to have been level funded. This was the Governor's original recommendation. VDH may not have a final budget for several weeks. Chris Finley reported that contracts and grants will also be affected (delayed). She also needs to look at this from a programmatic perspective as well to handle ongoing programs: two challenging parts are the hospital cessation services and coalition grants. Media is more manageable; there is a contract in place already. One question for discussion is how we look at need, population served, reach of services, etc. Sheri reported that communications with partners have been ongoing. There is a plan to include partners in planning (to get input) as well. There are emotions attached, since this is a significant cut. It is not realistic to fund the same number of partners as we have in the past. Economy and outcomes are large considerations. Ted stated that VDH has already received a lot of feedback on this issue; did these previous comments provide VDH with the information needed? Sheri replied that one item that has become clear throughout the discussions is to focus less on youth prevention, as DOE and DLC have funding to continue their work on this. Coalition focus on youth could be reduced. Advice from RTI indicated that media should be 'protected' more than the other components. We have media that could be used again for efficiency purposes. Chris Finley said that it is still to be determined as to what all this would translate into. Hospital and coalition*

meetings will be held during the first week in June. Amy said she has wiggle room in her coalition budget if there is less of a focus on some areas. Sheri: There is a desire to keep the Quit Network in place, but what would the in-person program look like? That component totals over \$1.1 million in a \$1.4 million cessation budget. We know we can run online and telephone services to continue to reach out to Vermonters. Healthcare provider outreach will likely be eliminated. VDH will have enough information from partners and the Board to develop a bid process for the coalitions and for the quit in person service. Online and by phone services may continue as they have. The Board would review criteria for RFPs; the process for reviewing proposals would take at least six weeks, for a start date for around November 1 or later. Another option would be for coalitions to reduce focus. VDH would not ask coalitions to do a full year of work for half pay. Some VDH line items could get a deeper cut than 50%. VDH is considering a 30% cut for media. Ted recommended that this needs to be spelled out to partners clearly. In-person administrative costs could be taken back into the Health Department. VDH is considering NRT reductions as well. Ted recommended that the Board and general community need to know if there is an in-person program and if there will be one on July 1st. The RFP process should be palatable and structured in a way to meet the program goals. The Board will do all it can to provide support and assistance.

#### Committee Budget Planning FY2011

(15 min)

Beginning as early as June, the Board's subcommittees will meet over the course of the summer to discuss potential funding recommendations to the Governor and Legislature. The Board must vote on these recommendations in September or October (due October 15th). Board members began the discussion of dollar amounts for the FY2011 budget. We would set an overall target (dollar amount) for each of the Committees for work on over the summer. Shall we ask for level funding, increase, etc?

Christy suggests doing something different: One possibility is to look at the \$40 million as a block and cite where it is all going. Ted sees the importance as does Christy to avoiding fighting with other public health programs. We might want to suggest a \$5.6 million budget matching the FY09 appropriation. Another suggestion was to align the Board's budgetary recommendations with those of the CDC (\$10 million). ARRA funding might peak during next year, Chris suggests looking at this as more information becomes available, especially related to Medicaid funding. The discussion about committee budget planning is to be continued.

## Tobacco Trust Fund

(15 min)

*Ted asked: Is there any realistic possibility to take from the trust fund this session if the legislature reconvenes? Rep. Frank could ask in the legislature about this, perhaps even request an amendment to the current appropriations bill. It was generally understood that there could be potential problems with doing this.*

*EDNA MOTIONED TO RECOMMEND TO THE APPROPRIATE LEGISLATIVE COMMITTEE(S) THAT UP TO \$1.5 MILLION BE APPROPRIATED FROM THE TOBACCO TRUST FUND TO SUPPLEMENT, AND TO SERVE AS A BRIDGE, FOR COMMUNITY COALITIONS AND HOSPITAL CESSATION PROGRAMS WHILE THE VDH WORKS TO CONSTRUCT A PROGRAM GOING FORWARD AS NOT TO LOSE PROGRAM RESOURCES AND THAT A SPECIFIC AMOUNT WILL BE RECOMMENDED BY THE VDH.*

*TED SECONDED. FURTHER DISCUSSION: AMY: WOULD MSA DOLLARS BE REDUCED? THE BOARD AGREED TO ADD LANGUAGE THAT INCLUDED THE WORD "SUPPLEMENT" SO AS TO AVOID THIS.*

*ALL IN FAVOR. NONE OPPOSED. CHRIS FINLEY (FOR VDH) ABSTAINS.*

## Other Business

(5 min)

*Meeting adjourned at 4:59.*

*Draft minutes taken by Stephen Morabito.*

*Draft minutes reviewed by Brian Flynn.*